

A-5311 (Re-Hearing)
Renewed and Amended Permit Request

To replace and expand an existing asphalt driveway with a concrete paver driveway. The proposed apron and turnaround area would be located on private property and would have a maximum width of fifty-four (54) feet.

Mr. and Mrs. Stephen C. Conley
9 West Lenox Street

9 West Lenox Street

These photos were taken in November of 2007.



Existing conditions—this photo was taken on June 2, 2010.



**CHEVY CHASE VILLAGE
NOTICE OF PUBLIC HEARING**

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 13th day of September, 2010 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-5311 – Re-Hearing
MR. AND MRS. STEPHEN C. CONLEY
9 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

The applicants seek a renewed Special Permit from the Board of Managers pursuant to Section 8-12 of the Chevy Chase Village Building Code to replace and expand an existing asphalt driveway with a concrete paver driveway. The proposed apron and turnaround area would be located on private property and would have a maximum width of fifty-four (54) feet.

The applicant's renewal request was originally heard by the Board of Managers at its July 12, 2010 meeting. This case was continued pending additional information from the applicant.

The Chevy Chase Village Code § 8-26 states:

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

Additional information regarding this appeal may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting property owners on the 2nd day of September, 2010.


**Chevy Chase Village Office
5906 Connecticut Avenue
Chevy Chase, Maryland 20815
301-654-7300**

**Mailing List for Appeal A-5311
Re-Hearing Renewed Permit Request**

**MR. AND MRS. STEPHEN C. CONLEY
9 WEST LENOX STREET
CHEVY CHASE, MARYLAND 20815**

Adjoining and confronting property owners	
Mr. and Mrs. Rodney L. Joyce Or Current Resident 10 Laurel Parkway Chevy Chase, MD 20815	Mr. and Mrs. Michael C. Gelman Or Current Resident 11 West Lenox Street Chevy Chase, MD 20815
Mr. and Mrs. Allan M. Fox Or Current Resident 8 West Lenox Street Chevy Chase, MD 20815	Mr. Nishan C. Aghajanian Or Current Resident 14 West Lenox Street Chevy Chase, MD 20815
Mr. and Mrs. William Bennett Or Current Resident 4 Laurel Parkway Chevy Chase, MD 20815	Mr. and Mrs. Herbert W. Jacobs, Jr. Or Current Resident 8 West Melrose Street Chevy Chase, MD 20815
Mr. and Mrs. Andrew B. Steinberg Or Current Resident 5 West Lenox Street Chevy Chase, MD 20815	United States Postal Service Or Current Resident 5910 Connecticut Avenue Chevy Chase, MD 20815
Mr. and Mrs. Nicholas S. Calio Or Current Resident 11 West Melrose Street Chevy Chase, MD 20815	

I hereby certify that a public notice was mailed to the aforementioned property owners on the 2nd day of September, 2010.



**Shana R. Davis-Cook
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815**

CHEVY CHASE VILLAGE

ESTABLISHED 1890

September 2, 2010

Mr. Bob Hawkins
Hawkins Signature Landscapes
12205 Annapolis Road
Bowie, MD 20715

RE: Special Permit Request—Mr. and Mrs. Stephen C. Conley
of 9 West Lenox Street, Chevy Chase Village

Dear Mr. Hawkins:

Please note that the re-Hearing of your request for a Special Permit to replace and expand an existing asphalt driveway with a concrete paver driveway on behalf of the owners of the above-referenced property is scheduled before the Board of Managers on Monday, September 12, 2010 at 7:30 p.m.

Either you, the residents or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of your request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,



Shana R. Davis-Cook
Manager, Chevy Chase Village

Enclosures

cc: Mr. and Mrs. Stephen C. Conley, owners

CHEVY CHASE VILLAGE

5906 Connecticut Avenue
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov
www.chevychasevillagemd.gov

SHANA R. DAVIS-COOK
Village Manager

DAVID R. PODOLSKY
Legal Counsel

Request for Special Permit Extension at 9 West Lenox Chevy Chase, Maryland Conley Residence

Addendum to July Chevy Chase Village Board of Managers Meeting

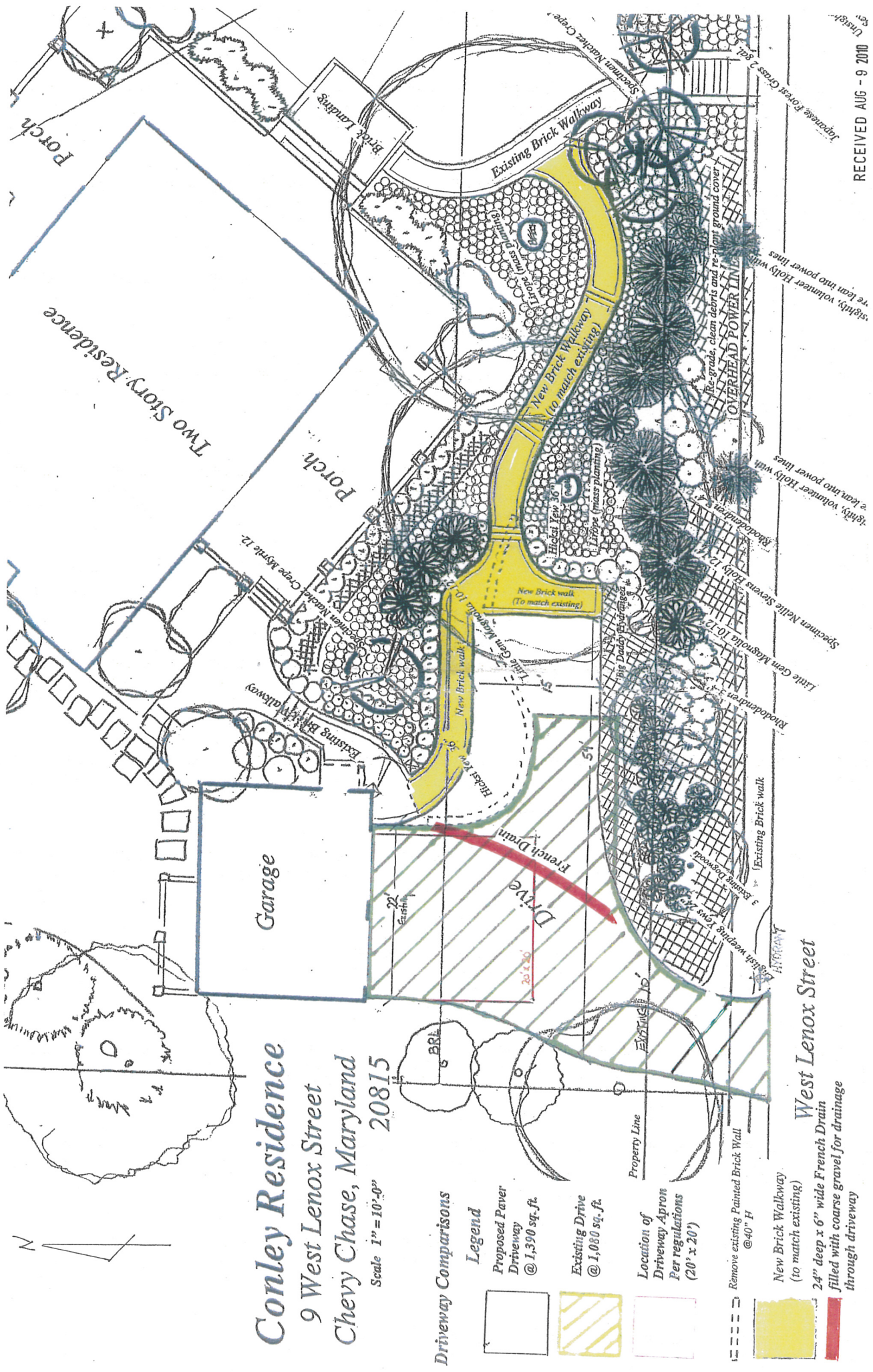
Pursuant to the Board's request from the July meeting to make the Conley's new driveway more permeable the following alteration is being proposed.

A "French drain" (@6" wide x 24" deep x @34' long) will be cut into the existing concrete sub slab along the natural 'swale' line of the drive (see plan...outlined in red). This will enable all of the surface runoff from the proposed new area of the turn around portion of the drive to flow into this 'French drain'. As well, some runoff from the upper portion of the existing drive in front of the garage will also migrate into this drain field.

The 'French drain' will be cut into the existing concrete and extend @ 24" deep. A 4" rigid and perforated PVC pipe will be placed at the bottom of the pit as a collection area. The remaining portion of the pit will be filled with coarse gravel (for drainage) to the surface of the driveway. This will allow the surface runoff from the drive to easily access the French drain area and therefore allow percolation into the subsoil beneath the drive pad. A Soil Separator filter cloth will be used to line the drain area so that sediment will not cause any future clogging of the structure.

The proposed new driveway will be a total of @1,390 sq. ft. It is anticipated that the proposed "French drain" will service @ 900 sq. ft of the drive with regards to surface run off and the entire new section of the turn around area.





Conley Residence

9 West Lenox Street

Chevy Chase, Maryland

20815

Scale 1" = 10'-0"

Driveway Comparisons

Legend

Proposed Paver Driveway @ 1,390 sq. ft.

Existing Drive @ 1,080 sq. ft.

Location of Driveway Apron Per regulations (20' x 20')

Remove existing Painted Brick Wall @ 40" H

New Brick Walkway (to match existing)

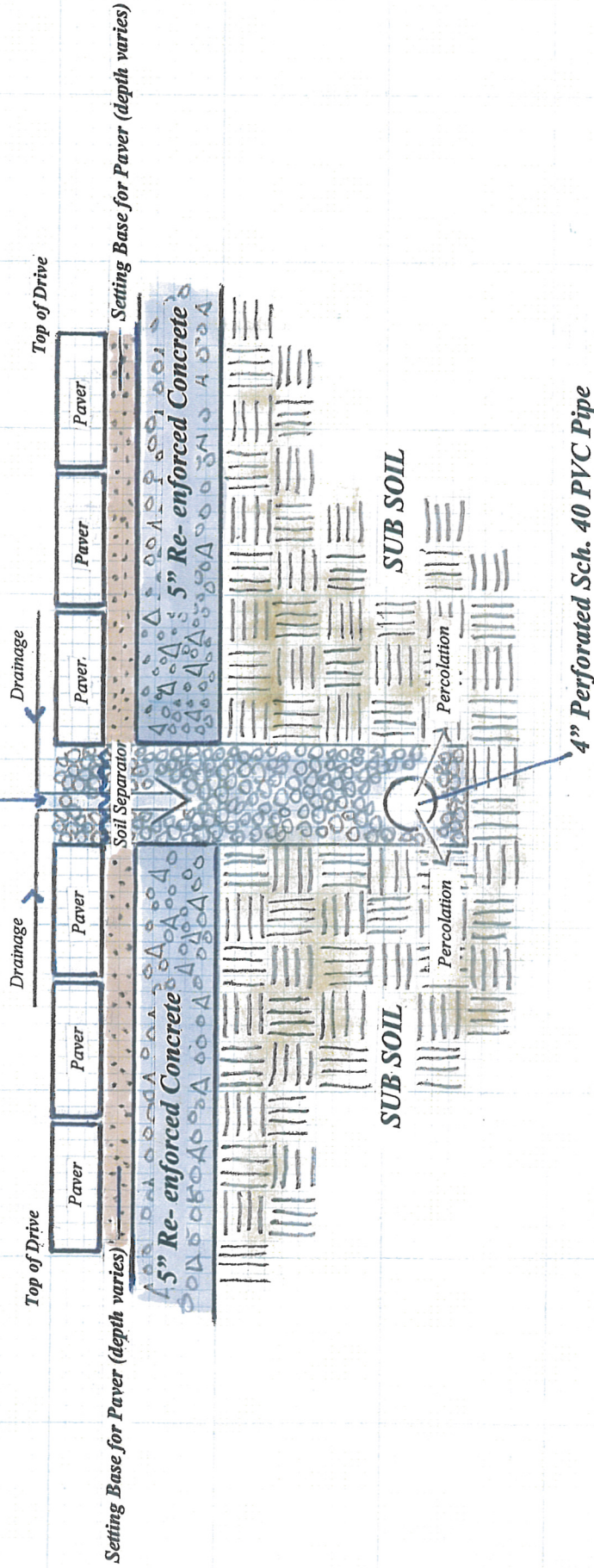
24" deep x 6" wide French Drain filled with coarse gravel for drainage through driveway

West Lenox Street

RECEIVED AUG - 9 2000

Cross Section – Conley Driveway 9 West Lenox Street

24" Depth x 6" "French Drain"
filled with coarse gravel (drainage)



The Conley's driveway/turn around area is a total of 1,390 sq. ft. The proposed "French Drain" for this driveway would handle the drainage of 900sq. ft. of the total driveway. The "French Drain" as proposed would accommodate @80,000 cu. Inches of rainfall volume per hour including percolation. A 1/4" of rainfall on 900 sq. ft. equals 64,800 cu. Inches in volume.

RECEIVED AUG 18 2010

MICHAEL C. GELMAN

**11 West Lenox Street
Chevy Chase, Maryland 20815**

August 19, 2010

Board of Managers
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Dear Board of Managers:

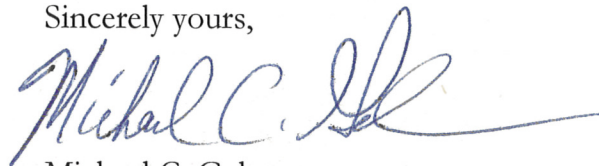
I am writing with concern about the construction of the new driveway built by my next door neighbors, the Conleys, at 9 West Lenox Street.

It is my understanding that the Board of Managers rejected the use of the particular materials with which this driveway is being built. I am concerned that the materials currently suggested for use by the Conleys are not permeable, therefore increasing the likelihood that an excess of rainwater could flow onto my property, which also may have a detrimental effect on the root systems of nearby trees.

Additionally, because of problems with Mr. Conley's eyesight, the driveway's dimensions have been greatly expanded beyond those of the previous drive, further exacerbating potential runoff and harm to trees.

I rely on you, the Board of Managers, to make sure that the Conleys have complied with your original directive, that the driveway be a permeable surface in order to prevent runoff that may affect my property, other adjacent land, and our community's trees.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Michael C. Gelman", with a long horizontal flourish extending to the right.

Michael C. Gelman

RECEIVED AUG 20 2010

STEPHEN C. CONLEY

July 6, 2010

Board of Manager's
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815

Re: Extension and Renewal of Special Permit for 9 West Lenox

Dear Board Members:

I am writing to let you know that my wife and I will be out of town on vacation on July 12th, the date of the next Board Meeting. Mr. Bob Hawkins, our landscape architect, will represent our interests regarding extension and renewal of the Special Permit for our driveway at 9 West Lenox Street. I trust you will embrace his representation of our interests.

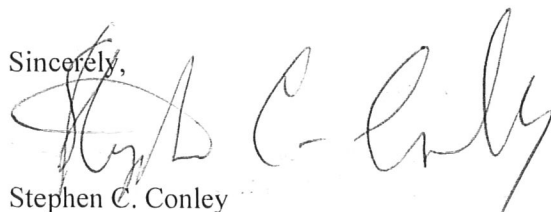
You will recall that a permit was previously issued for this purpose, but unfortunately expired before we were able to perform the work. After receiving the permit we elected to pursue a significant renovation of the house wherein The Village required that we use the driveway as a staging area for construction. At that time I decided to delay the driveway work so that it would not be damaged by the other construction activity.

Our intent remains the same as when we applied for and received the permit in 2007, but I unfortunately neglected to extend the permit as required.

Mr. Hawkins will be able to articulate the complications encountered when we began the work and before we were stopped.

We are very proud of our home and are anxious to complete the work. We are thrilled with the comments from neighbors all over The Village about the work we have done and trust that the Board will recognize such and authorize us to complete what has been previously approved. I will be pleased to meet or talk with anyone who may have questions.

Sincerely,



Stephen C. Conley

1627 I STREET N.W., 12TH FLOOR
WASHINGTON, DC 20006

Chevy Chase Village
Building Permit Application

Permit No: A-5311

Property Address: <u>9 West Lenox Street</u>	
Resident Name: <u>Mr. + Mrs Stephen Conley</u>	
Daytime telephone:	Cell phone: <u>202 365-1050</u>
After-hours telephone:	
E-mail:	
Project Description: <u>Driveway and corresponding walks</u> <u>Request for an extension of previously approved permit</u>	
<input type="checkbox"/> Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.	
Primary Contact for Project:	
<input checked="" type="checkbox"/> Resident	<input type="checkbox"/> Architect
<input type="checkbox"/> Project Manager	<input type="checkbox"/> Contractor*
*MHIC/MD Contractor's License No. (required):	
Contractor Contact Information:	
Name: <u>Hawkins Signature Landscapes</u>	
Work telephone:	After-hours telephone:
Cell phone: <u>(301) 440-0590</u>	
E-mail: <u>bobhawkins@hotmail.com</u>	
Will the residence be occupied during the construction project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If no, provide contact information for the party responsible for the construction site (if different from above):	
Name:	
Address:	
Work telephone:	After-hours telephone:
Cell phone:	
E-mail:	
Parking Compliance:	
Is adequate on-site parking available for the construction crews? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.	
Will road closings be required due to deliveries, equipment or other reasons? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Building Permit Filing Requirements:
Application will not be reviewed until the application is complete

- ☒ Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
- ☒ This application form, signed by resident.
- ☒ Boundary Survey
- ☒ Site Plan (see: Village Site Plan Checklist to ensure completeness)
- ☒ Building plans and specifications
- ☒ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☒ Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
- ☒ Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.

Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.

If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.

No signs advertising the architect, contractor, or any other service provider may be posted on the work site.

I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.

Applicant's Signature: _____

Date: 6/16/10

To be completed by Village staff:

Is this property within the historic district?

Yes ☒

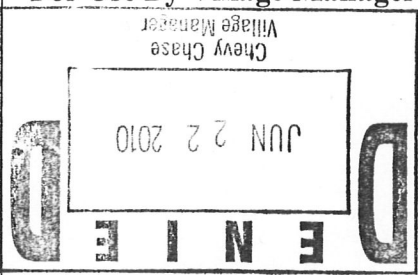
No ☐

Staff Initials: DD

Date application filed with Village: 6/17/10

Date permit issued: _____

Expiration date: _____

For Use By Village Manager	Application approved with the following conditions:
For Use By Village Manager	Application denied for the following reasons:
	<p><i>Driveway exceeds maximum allowable width. Extensions must be approved by the Board of Managers.</i></p>

Filing Fees (due when application submitted)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Permit Application Fee: \$ <u>\$30⁰⁰</u> (see Permit Fee Worksheet)	
Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <input type="checkbox"/> Not required for this project.	
TOTAL Fees:	Date: <u>6/17/10</u> Staff Signature: <u>[Signature]</u> Check # <u>9440</u>
Damage Deposit/Performance Bond (due when permit is issued)	Checks Payable to: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<input type="checkbox"/> \$ _____ <input checked="" type="checkbox"/> Waived by Village Manager	Date: <u>6/22/2010</u> Staff signature: <u>[Signature]</u>
Cost of damage to R-O-W: (calculated at close-out) Amount of refund:	Date: Staff signature:

For Village Staff use: Field file for inspections by Code Enforcement Officer has been created: <input type="checkbox"/> Yes (Date: _____)

Chevy Chase Village

Application for a Special Permit

Chevy Chase Village Code Section 8-1(aa) defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter.

Subject Property:	9 West Lenox Street
Describe the Proposed Project:	Driveway and corresponding walks Request for an extension of previously approved permit
Applicant Name(s) (List all property owners):	Mr. + Mrs Stephen Conley
Daytime telephone:	Cell: 202 365-1050
E-mail:	
Address (if different from property address):	
For Village staff use:	Date this form received: JUN 17 2010 Special Permit No: A-5311

Filing Requirements:

Application will not be accepted or reviewed until the application is complete

- ☐ Completed *Chevy Chase Village Application for a Special Permit* (this form)
- ☐ Completed *Chevy Chase Village Building Permit Application*
- ☐ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants, except for special permits authorized by Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code. If there are no covenants, provide a letter from an attorney or the title insurance carrier stating that there are no covenants.
- ☐ Applicable special permit fee listed in Chapter 6 of the Village Code.

Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this special permit request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature:

Stephen Conley

Date:

6/16/10

Applicant's Signature:

Angie Conley

Date:

6/16/10

Describe the basis for the special permit request (attach additional pages as needed):

Describe the reasons why approval of the special permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

Requesting Extension on previous permit
See letter provide

Describe the reasons why the special permit can be granted without substantial impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

Requesting Extension on previous permit
See letter provided

In exercising its powers in connection with a special permit request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Special Permit Filing Fees	Checks Payable To: Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
<i>Per Village Code Sec. 6-2(a)(24):</i> <input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building. <input type="checkbox"/> \$300.00 for demolition of accessory building or structure. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. Fee Paid: \$300	Date Paid: 6/17/10 Staff Signature: Grace Bice Check # 9440

JUNE 2010

***Request for Special Permit Extension at 9 West Lenox
Chevy Chase, Maryland Conley residence***

Mr. & Mrs. Conley are requesting an extension to their special permit that was granted on November 13, 2007 to widen their driveway. Upon granting this special permit in November of 2007, work started in the early spring of 2008. Some of the work associated with the special permit was completed that spring such as brick walkways and most of the landscaping. During this time period the Conleys also pursued a separate permit for an addition to their existing Residence. The conditions of the permit for the renovation to the house stated that the driveway would have to be used as the "staging area" for that construction. Therefore, because of heavy construction traffic and equipment that would be used for the renovation of the residence, completion of the driveway special permit was put on 'hold' until after the renovation of the house. Since there has been no substantial material change in circumstance since the special permit was granted and despite due diligence by the permittee, additional time is requested in order to accomplish the approved construction.

The overall theme of this special permit is as originally stated...that is: A functional driveway and turn around area with connecting brick walkways completed with superior workmanship. The drive and turn around area will be topped with a paver design on a concrete base. Please note that a concrete base has been selected since during demolition of the old driveway a very uneven asphalt and concrete combination was revealed that was in a deteriorating state of disrepair. The old asphalt and concrete was cracked and broken with 'soft spots.' A new reinforced concrete pad was installed that will be topped with a paver design. While some of the landscaping is completed at this time the remainder of mature plantings will be completed with the same high degree of workmanship and quality that has been associated with the rest of the Conley Residence.

We would like to thank the board in advance for their consideration of this time extension for this Special Permit.

Sincerely, Stephen & Ellen Conley



CASE NO. A-5311
Appeal of Mr. and Mrs. Stephen C. Conley
(Hearing held November 13, 2007)

DECISION OF THE BOARD OF MANAGERS

This proceeding is an application for a special permit pursuant to Section 8-12(b) of the Chevy Chase Village Code. The applicants propose to replace and expand an existing asphalt driveway with a concrete paver driveway. The applicants propose to create a wider apron and turnaround area. The proposed apron and turnaround area would be located on private property and would have a maximum width of fifty-four feet (54').

The application is filed pursuant to the requirements of Section 8-26 which provides:

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

The subject property is known as Lots 1 and 2, Block 42, in the "Chevy Chase, Section 2" subdivision, also known as 9 West Lenox Street, Chevy Chase, Maryland 20815, in the R-60 zone. Notice was mailed to all abutting property owners, posted at the Village Hall, and posted on the property on November 1, 2007.

In support of the application, the applicants submitted the following: (i) a copy of the applicants' Village Building Permit Application; (ii) a statement from the applicants' landscape designer, Hawkins Signature Landscapes, describing the nature of the applicants' request; (iii) a location drawing denoting existing conditions; (iv) several photographs depicting existing conditions; (v) a site plan illustrating the existing driveway and the proposed paver driveway; and (vi) a planting plan. Two photographs depicting existing conditions were submitted by Village staff

for the record. Four photograph montages depicting an aerial view of the subject property and alternative driveway configurations were submitted by Village staff for the record.

The statement from Hawkins Signature Landscapes contains the following summary of the applicants' request:

Mr. & Mrs. Conley are requesting a variance for proposed exterior work including their driveway ('Turn around area') in order to facilitate Mr. Conley's visual impairment which obviously affects his eye sight especially his peripheral vision. In an effort to back out of Mr. Conley's garage he would like a less restrictive curve radius as well as a more comfortable area in which to proceed forward out of the drive. He has already struck a small wall that is adjacent to this curve radius. The wall is strictly an ornamental painted brick wall with no structural elements what so ever. As well the wall does not seem to be a part of the 'Plantation Style – Turn of the Century' architecture and seems to be more contemporary than anything else. This wall was constructed in 1990. With the elimination of this wall the curve radius can be made more receptive to Mr. Conley's condition. The turn around area measures 15' in width, which is in accordance with Village guidelines. The surface of the drive would be a paver ('Balcon' concrete paver) on a crush[ed] stone base with a sand grout. Since the drive is relatively flat this will allow for water percolation.

* * *

And finally, the Conley[s] will install an elaborate and mature landscape screening in accordance with the Chevy Chase image and keeping in style with adjacent landscapings. It will be somewhat naturalized with large scale plantings of Hollies, dwf. Little Gem Magnolias, Crepe Myrtles, hydrangeas, English weeping yews, rhododendron, and matching ground cover of existing ivy presently throughout the site. As well a London Plane tree has been incorporated per Mr. Geoffrey Biddle's request as a canopy tree on the Laurel Parkway side.

The Conley[s'] intention is to bring the residence of 9 West Lenox Street back to its original grandeur as a turn of the century, Plantation Style home in keeping with traditional Chevy Chase values. This design will also enable the Conley[s] to safely exit their driveway and to walk from their garage area throughout the yard. As well the drive will be comfortably screened from the street with mature landscapes. No large scale trees will be affected by this construction. And none of the work will hamper any street traffic and can be contained within the Conley site. No port-o-johns are expected to be used during installation. The Conley[s] thank you for your consideration of this matter.

The materials submitted by the applicants reflect that the applicants' property is a corner lot with frontage on West Lenox Street and Laurel Parkway. The materials submitted by the applicants

show that the proposed driveway apron and turnaround area would be located on private property and would have a maximum width of fifty-four feet (54'). The length of the driveway from the existing garage to West Lenox Street, and the width of the portion of the driveway that adjoins West Lenox Street, would not be increased.

Bob Hawkins, the applicants' landscape designer, appeared at the hearing and testified on the applicants' behalf. According to Mr. Conley, the proposed paver driveway is necessary to make backing out of the garage safer for Mr. Conley. He explained that there is a fire hydrant located near the end of the applicants' driveway adjoining West Lenox Street and that, as a result of the difficulty encountered in backing out of the curved driveway, the applicants have struck the hydrant on at least one occasion. Mr. Hawkins explained that the applicants propose to replace their current "tar and chip" asphalt drive with a more pervious paver driveway. According to Mr. Hawkins, the concrete paver design, incorporating crushed stone infill, is similar to what has been installed on other nearby properties. He explained that the applicants propose to reduce the turn radius of the turnaround area by extending it ten and one-half feet (10.5') and increasing the depth by eleven feet (11'). Village staff calculated the proposed surface area increase to be three hundred eleven (311) square feet.

Mr. Conley testified at the hearing and reiterated that the applicants wish to widen their driveway apron and turn around area to make backing out of the garage safer. Mr. Conley explained that he has suffered multiple strokes and as a result, his vision has been impaired. Mr. Conley asserted that the applicants' proposed paver driveway and landscaping would improve the appearance of the applicants' property.

Susan Gorman of 45 West Lenox Street testified in support of the applicants' request. She stated that she believes the applicants' two-car garage makes it difficult to back out of the driveway. Also, she stated that she finds the proposed pavers to be nice looking.

No testimony or other evidence in opposition to the application was submitted.

Based upon the testimony and evidence of record, the Board of Managers (the "Board") makes the following findings in connection with this matter:

1. The portion of the proposed paver driveway that requires a special permit would be located on private property.
2. The proposed paver driveway would increase the driveway surface area by no more than three hundred eleven (311) square feet.
3. The proposed apron and turnaround area would have a maximum width of fifty-four feet (54').
4. Due to the acute angle of the intersection of West Lenox Street and Laurel Parkway, automobiles backing out of the applicants' driveway may not be able to timely observe vehicles approaching from multiple directions.
5. It is necessary for the applicants to exit the driveway front first in order to more readily observe traffic on West Lenox Street and Laurel Parkway.
6. The extra width of the proposed driveway apron and turnaround area is necessary for a car to turn around and exit the driveway front first.
7. The pavers proposed by the applicants would conform in appearance to a driveway located on a nearby property.
8. A Village resident, who resides on West Lenox Street, approves of the applicants' request.
9. The applicants proposed paver driveway would be more pervious than the applicants' existing asphalt driveway and would improve water drainage.
10. No correspondence or testimony in opposition to the application was presented.

11. The lack of objection from any neighbor, and the support of a resident of West Lenox Street, leads to the conclusion that the proposed driveway apron would not interfere with the reasonable use of adjoining properties.

Based upon the foregoing findings, the Board concludes that:

1. The special permit is authorized by the Village building regulations;
2. The special permit will not adversely affect the public health, safety or welfare nor the reasonable use of adjoining properties; and
3. The special permit can be granted without substantial impairment of the intent and purpose of the building regulations.

Accordingly, the requested special permit to construct a driveway in excess of fifteen feet (15') in width on private property is granted subject to the following conditions:

1. The driveway shall be constructed and maintained in accordance with the plans and specifications submitted for the record in this matter; and
2. The applicants shall complete construction of the driveway on or before the 13th day of November, 2008.

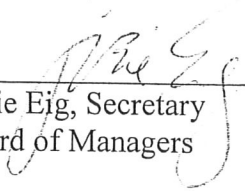
The Chevy Chase Village Board of Managers hereby adopts the following Resolution:

BE IT RESOLVED by the Board of Managers of Chevy Chase Village that the Decision stated above be adopted as the decision as required by Section 8-12(d) of the Chevy Chase Village Code, and the Village Manager and/or his designee be and he is hereby authorized and directed to issue a building permit for the construction of the concrete paver driveway, in accordance with this Decision, provided the same complies with all other applicable codes.

The foregoing Resolution was adopted by the Chevy Chase Village Board of Managers with the following members voting in favor: Gail Feldman, Robert Jones, Douglas B. Kamerow, David L. Winstead, and Peter Yeo. Betsy Stephens was not present at the hearing in this matter and did not

participate in this Decision. Susie Eig voted against the foregoing decision and would have denied the application.

I HEREBY CERTIFY that the foregoing Decision and Resolution were approved and adopted by the Chevy Chase Village Board of Managers on this 7th day of ^{December} November, 2007.



Susie Eig, Secretary
Board of Managers

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